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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,177	12/20/2000	Feng Cao	DSCK-1215	7566

7590
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03/26/2003

EXAMINER

DUONG, THANH P

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 03/26/2003 \

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/745,177

Applicant(s)

CAO ET AL.

Examiner

Tom P Duong

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 9-26 is/are pending in the application.
- 4a) Of the above claim(s) 4-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 9-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

In response to amendment filed on 1/10/03, Applicant elect to prosecute claims 1-3 and cancel claims 4-8 as non-elected claims. Claims 9-26 are added new claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3 and 9-26 rejected under 35 U.S.C. 103(a) as being unpatentable over

Hatch et al. (5,820,491) in view of Official Notice. Regarding claims 1, 3, 9, 11, 13, 14,

16, 18, 24, 26, Hatch et al. disclose a topcoat polyurethane over the golf ball's cover

(Abstract) comprising: polysiloxane copolymer (Abstract) constitutes surfactant,

isocyanates (Col. 3, lines 59-60) constitutes activator, polyols (Col. 3, lines 45-65)

constitutes base, drying accelerator (Dibutyl tin dilaurate), Table 9. Although, Hatch

'491 only discloses one metal catalyst; however, ^{411, col. 1 lines 59-68, col. 2 line 1-2} Official Notice is taken that other

^{295 col. 6 line 61-65} conventional tin catalysts such as stannous octoate ^{859 Col. 5 line 25-29} are common catalysts in urethane

formulation. Note, the catalyst selection(s) control the reaction rate and curing. Thus, it

would have been obvious in view of Official Notice that the metal catalyst selection(s) is

determined by desirable reaction rate and curing in the cover's formulation. Regarding

^{686 Abstract Col. 6 line 25-32} claims 2 and 12, Official Notice is taken that it is known in the art to use Zirconium as a

catalyst for its abrasion resistance characteristic and it would have been obvious to use

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Zirconium in Hatch's invention for its abrasion resistance. Regarding claims 10, 22 and 25, Hatch discloses that it is conventional to use a primer coating to promote adhesion between the cover and top coat of a golf ball (Col. 2, lines 43-48). Regarding claim 11, Hatch discloses the claimed invention including conventional ionomeric material for the cover. (Col. 1, lines 28-31). Regarding claims 15 and 17, Official Notice is taken that it is conventional to use the base and/or activator as a thinner to control the viscosity and aid in curing and/or drying and it would have been obvious to use such thinner or base in Hatch's coating. Regarding claim 19, Official Notice is taken that it is known that the pot life or coatable time is the life of the batch mixture where it allows good coating workability. Note, the pot life is depended on the coating process. Regarding claims 20 and 21, Hatch discloses a Flourad FC-430 which is functionally equivalent to the flourosurfactant of the claimed invention. Regarding claim 23, Hatch discloses the claimed invention including acrylic resin (Col. 6, lines 10-13).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom P Duong whose telephone number is (703) 305-4559. The examiner can normally be reached on 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Sewell can be reached on (703) 308-2126. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 873-9303 for After Final communications.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

Tom Duong
March 24, 2003


Paul T. Sewell
Supervisory Patent Examiner
Group 3700